

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF
NEVADA

NO. 43322

Date of filing in State Engineer's Office MAR 12 1981
Returned to applicant for correction MAY 15 1981
Corrected application filed JUL 10 1981
Map filed JUL 10 1981 under 43321

The applicant **Eureka Livestock Co.**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **McCloud Spring**
2. The amount of water applied for is **0.01 c.f.s.** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **stockwatering**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered **100 head of cattle, 1600 sheep-lambs**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **in the SW¼ NE¼ of Section 5, T.23 N., R.52 E., M.D.B.&M., (Partially Unsurveyed) whence the W¼ Corner of said Section 5 bears S.88°20'38" W., 2,884.47 feet distant.**
6. Place of Use **SW¼ NE¼ of Section 5, T.23 N., R.52 E., M.D.B.&M. (Partially Unsurveyed)**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **The water will be diverted through "V" ditches to an 80' stockwatering pond**
9. Estimated cost of works **\$1,000.00**
10. Estimated time required to construct works **6 months**
11. Estimated time required to complete the application of water to beneficial use **1 year**
12. Remarks:

By **s/Richard W. Forman**
P.O. Box 150
Ely, Nevada 89301

Compared dl/cmf dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.01 cubic feet per second, or sufficient to water 100 head of cattle and 1,600 sheep and lambs.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 18, 2000

Proof of completion of work shall be filed before:

September 18, 2000

Water must be placed to beneficial use on or before:

August 18, 2001

Proof of the application of water to beneficial use shall be filed on or before:

September 18, 2001

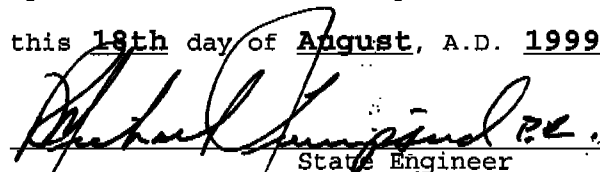
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 18th day of August, A.D. 1999


State Engineer

Completion of work filed

OCT 16 2000

Proof of beneficial use filed

OCT 04 2002

Cultural map filed

Certificate No.

16270

Issued

JAN 20 2004